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ALOHA MEDICINALS, INC.

UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA - SAN JOSE DIVISION

11 ALOHA MEDICINALS, INC., } Case No. C 05-02188 RS
12 Plaintiff, }
13 vs. }
14 POLAR SERVICE COMPANY, INC., }
15 Defendant. }
16 }
} **STIPULATION AND**
} **~~PROPOSED ORDER~~**
} **EXTENDING TIME TO**
} **COMPLETE MEDIATION**
} **Complaint Filed:** May 2005
} **Trial Date:** June 26, 2006
} **Judge:** Hon. Richard
} Seeborg

RECITALS

WHEREAS the Court, in the Case Management Scheduling Order dated September 28, 2005, ordered that the parties complete the private mediation to which they stipulated within 120 days (by January 25, 2006);

WHEREAS although Plaintiff ALOHA MEDICINALS, INC. (“Plaintiff”) and Defendant POLAR SERVICE COMPANY, INC. (“Defendant”) have been actively pursuing discovery, counsel for both parties believe that additional discovery needs to be completed before the case is ready for mediation; and

WHEREAS the parties wish to request that the Court extend the time for completion of the mediation for an additional sixty (60) days until March 24, 2006.

STIPULATION

1 WHEREFORE, the parties hereby stipulate, by and through their respective
2 counsel of record herein, that the Court be respectfully requested to extend the
3 deadline for completion of the mediation in this case until March 24, 2006.

4 DATED: January 24, 2006 BANNING MICKLOW BULL & LOPEZ LLP

5
6 By _____ /s/ Kurt Micklow

7 Eugene A. Brodsky
8 Kurt Micklow

9 Attorneys for Plaintiff
10 ALOHA MEDICINALS, INC.

11 DATED: January 24, 2006 McNAMARA, DODGE, NEY, BEATTY,
12 SLATTERY, PFALZER & BORGES LLP

13 By _____ /s/ Thomas G. Beatty

14 Thomas G. Beatty
15 Wilma J. Gray

16 Attorneys for Defendant
17 POLAR SERVICES COMPANY, INC.

18 ORDER

19 IT IS SO ORDERED.

20 Dated: 1/25/06

21 
22 Honorable Richard Seeborg
23 United States Magistrate Judge